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Attorney for: Plaintiffs

TB, a minor, individually and by his	:	UNITED STATES DISTRICT COURT
Parent JK.,	:	FOR THE DISTRICT OF NEW JERSEY
Plaintiffs	:	CAMDEN VICINAGE
vs.	:	
	:	<i>CIVIL ACTION</i>
Mount Laurel Board of Education,	:	DOCKET NO. 09-cv-4780 (JBS-KMW)
Defendant	:	<b>JOINT DISCOVERY PLAN</b>
	:	<b><i>L. Civ. R. 26.1(b)(2) and 26.1(d):</i></b>

(a) No changes in timing, form, or requirements of mandatory disclosures under *Fed. R. Civ. P. 26(a)* are anticipated;

(b) Mandatory disclosures were due on or before February 18, 2010;

(c) The scope of discovery is anticipated to be limited to Plaintiffs' claims under the New Jersey Law Against Discrimination for damages and attorney fees and costs and under IDEA and 42 U.S.C. 1983 for attorneys fees due to plaintiffs and defenses thereto; including, but limited to documents related to the due process litigation initiated January 23, 2009; and documents related to the resolution conference held January 19, 2009; all of which are relevant to both the subject matter of the dispute which is a claim for attorneys fees and defenses thereto;

(d) The parties will produce digital information, have conferred pursuant to *L. Civ. R. 26.1(d)*, and agree as follows:

a. Counsel have reviewed client's information management systems and can identify a person or persons with knowledge about the client's information management systems with the ability to facilitate, through counsel, reasonably anticipated discovery;

b. The parties have identified the possible categories of information that maybe sought. Those categories are limited to correspondence between the opposing parties (whether electronic or other hardcopy), correspondence between agents and/or consultants of the parties, retainer agreements between counsel and clients, liability policies of the respective parties, all evaluations conducted by either party since January 23, 2009. Each party may supplement its request for digital information as soon as possible upon receipt of new information, so long as such requests are received on or before March 31, 2010.

Digital information shall be delivered in Microsoft Word or PDF format, inclusive of all associated metadata;

c. The parties agree that privileged information that is inadvertently produced privileged information shall be returned to the producing party promptly upon discovery of the inadvertent production. Such production shall not be deemed a waiver of any privilege associated with such information. Restoration of digital information is not contemplated and therefore documents that have been deleted in accordance with a properly promulgated document destruction schedule are not deemed to be within the scope of discovery;

d. Each party will bear their own costs of digital preservation and restoration (if necessary);

(e) Pursuant to Magistrate Williams' Order of February 18, 2010, the date by which digital discovery should be served is March 31, 2010, responses, answers, and objections thereto shall be filed in accordance with Court Rules;

(f) The parties agree that no changes in limitations imposed by the Federal Rules of Civil Procedure, local rule, or standing order is necessary;

(g) The parties agree that no special orders such as preservation orders or protective orders need be entered;

(h) The parties understand that the deadline to join other parties or amend the pleadings is May 14, 2010, as indicated in Magistrate Williams' February 18, 2010 Order;

(i) The parties understand that the deadline for completing all pretrial discovery is August 20, 2010, as established by Magistrate Williams' February 18, 2010 Order;

(j) The parties understand that all pretrial motions are returnable on or before August 20, 2010;

(k) The parties do not anticipate that this matter might be resolved by voluntary arbitration, mediation, appointment of a special master, or other special procedure.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'JE', is written over a horizontal line.

JAMIE EPSTEIN  
Attorney for Plaintiffs

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May 5, 2010

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RE: *JK o/b/o PB v Mt Laurel School District,*